

# CALIFORNIA CODE OF REGULATIONS

## **TITLE 14.- NATURAL RESOURCES**

### **DIVISION 1.- FISH AND GAME COMMISSION -DEPARTMENT OF FISH AND GAME**

#### **SUBDIVISION 3.- GENERAL REGULATIONS**

#### **CHAPTER 6 - REGULATIONS FOR IMPLEMENTATION OF THE CALIFORNIA ENDANGERED SPECIES ACT**

#### **ARTICLE 1 - TAKE PROHIBITION; PERMITS FOR INCIDENTAL TAKE OF ENDANGERED SPECIES, THREATENED SPECIES AND CANDIDATE SPECIES**

As of: 4/25/08, Register 2008, No. 17

### **§ 783.2. Incidental Take Permit Applications.**

(a) **Permit applications.** Applications for permits under this article must be submitted to the Regional Manager. Each application must include all of the following:

1. Applicant's full name, mailing address, and telephone number(s). If the applicant is a corporation, firm, partnership, association, institution, or public or private agency, the name and address of the person responsible for the project or activity requiring the permit, the president or principal officer, and the registered agent for the service of process.
2. The common and scientific names of the species to be covered by the permit and the species' status under CESA, including whether the species is the subject of rules and guidelines pursuant to Section 2112 and Section 2114 of the Fish and Game Code.
3. A complete description of the project or activity for which the permit is sought.
4. The location where the project or activity is to occur or to be conducted.
5. An analysis of whether and to what extent the project or activity for which the permit is sought could result in the taking of species to be covered by the permit.
6. An analysis of the impacts of the proposed taking on the species.
7. An analysis of whether issuance of the incidental take permit would jeopardize the continued existence of a species. This analysis shall include consideration of the species' capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (A) known population trends; (B) known threats to the species; and (C) reasonably foreseeable impacts on the species from other related projects and activities.
8. Proposed measures to minimize and fully mitigate the impacts of the proposed taking.
9. A proposed plan to monitor compliance with the minimization and mitigation measures and the effectiveness of the measures.

10. A description of the funding source and the level of funding available for implementation of the minimization and mitigation measures.

11. Certification in the following language:

I certify that the information submitted in this application is complete and accurate to the best of my knowledge and belief. I understand that any false statement herein may subject me to suspension or revocation of this permit and to civil and criminal penalties under the laws of the State of California.

(b) **Information requirements:** consultation with Department. Responses to the requirements of section 783.2(a)(5)-(a)(9) shall be based on the best scientific and other information that is reasonably available. At an applicant's request, the Department shall, to the greatest extent practicable, consult with the applicant regarding the preparation of a permit application in order to ensure that it will meet the requirements of this article when submitted to the Department. An analysis prepared pursuant to state or federal laws other than CESA that meets the requirements of section 783.2 and 783.3 may be submitted in an incidental take permit application.

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